

Mar. 9. 2009 9:42PM KUBOVCIK & KUBOVCIK

No. 1723 P. 4

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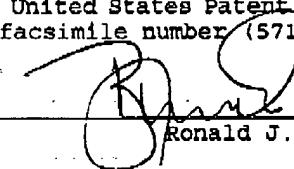
MAR 09 2009

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE HONORABLE BOARD OF PATENT APPEALS AND INTERFERENCES

Appl. No. : 10/562,059 Confirmation No. 9645
Applicant : Yasuhiro KAJIHARA et al.
Filed : December 22, 2005
TC/A.U. : 1623
Examiner : Eric Olson
Dkt. No. : ACT-003
Cust. No. : 20374

I hereby certify that this paper is being
facsimile transmitted on March 9, 2009, to
the United States Patent and Trademark Office
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Ronald J. Kubovcik

NOTICE OF APPEAL

Mail Stop AF
To: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

March 9, 2009

Sir:

Applicants hereby appeal to the Board of Patent Appeals and
Interferences from the decision dated September 8, 2008, of the
Primary Examiner finally rejecting claims 2-8, 12, 13, 15 and 16.

The items checked below are appropriate:

1. A petition for an extension of time to respond to the final

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NOTICE OF APPEAL

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PATENT

rejection was filed on March 9, 2009, for three months.

2. XX A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.

3. XX Fee \$ 540.00 or Small Entity \$255.00
XX Enclosed (PTO-2038 for \$540.00)
 Not required (fee paid in prior appeal)

In the event this paper is not considered to be timely filed, applicant hereby petitions for an appropriate extension of time. The fee for this extension may be charged to our Deposit Account No. 111833, along with any other additional fees which may be required with respect to this paper.



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